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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TROY BENSON, an individual,  
  
Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, in its official capacity; and  
JOSEPH LOMBARDO, individually and in  
his official capacity as Sheriff of the Las  
Vegas Metropolitan Police Department,

Defendants.

MARY BENSON, an individual,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, in its official capacity;  
and BRET EMPEY, in his official capacity  
as a Sergeant of the Las Vegas Metropolitan  
Police Department, and as an individual,

Defendants

**Case. No.: 2:21-cv-01928-RFB-BNW**

**STIPULATION AND ORDER TO  
CONTINUE AND RESET 05/05/2022  
EARLY NEUTRAL EVALUATION  
SESSION [ECF No. 36]**

**(THIRD REQUEST)**

**Case. No.: 2:19-cv-01949-RFB-VCF**

**STIPULATION AND ORDER TO  
CONTINUE AND RESET 05/05/2022  
EARLY NEUTRAL EVALUATION  
SESSION [ECF No. 36]**

**(THIRD REQUEST)**

Plaintiffs' TROY and Mary BENSON, and Defendants LAS VEGAS  
METROPOLITAN POLICE DEPARTMENT AND JOSEPH LOMBARDO (collectively  
"Parties") by and through their respective counsel, hereby stipulate to the following:

IT IS HEREBY STIPULATED that, at the initiation of Plaintiff's undersigned  
counsel, the Early Neutral Evaluation Session, which is currently set for May 5, 2022, at  
10:00 a.m. by ECF No. 36 before United States Magistrate Judge Daniel J. Albregts be

1 vacated. The parties require more time to prepare their written Early Neutral Evaluation  
2 statements. In addition, Ms. McLetchie has competing obligations with her upcoming  
3 wedding and has also had several competing deadlines in other matters. The Parties  
4 respectfully request the Court grant their stipulation to continue the Early Neutral Evaluation  
5 Session for all these reasons.

6 IT IS FURTHER STIPULATED that the following three (3) alternative dates have  
7 been confirmed by all parties and their counsel to be available for rescheduling the Early  
8 Neutral Evaluation Session at the Court's convenience:

- 9 1. July 18<sup>th</sup>, 2022;
- 10 2. July 19<sup>th</sup>, 2022; and
- 11 3. July 28<sup>th</sup>, 2022.

12 With this resetting, the parties will be submitting their confidential written Early  
13 Neutral Evaluation statements for the Court's *in camera* review ten (10) days prior to the  
14 Early Neutral Evaluation Session, and agree to comply with all other aspects of the Court's  
15 Order Scheduling the Early Neutral Evaluation (ECF No. 20.)

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This request is made in good faith and is not sought for any improper purpose or for the purpose of delay.

**IT IS SO STIPULATED.**

DATED this 9<sup>th</sup> day of May 2022.

**MCLETCHE LAW**

/s/ Margaret A. McLetchie

Margaret A. McLetchie, NBN 10931  
McLetchie Law  
602 South Tenth Street  
Las Vegas, NV 89101  
*Attorneys of Plaintiff Troy Benson*

DATED this 9<sup>th</sup> day of May 2022.

**MARQUIS AURBACH**

/s/ Nicholas D. Crosby

Nicholas D. Crosby, NBN 8996  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorney for Defendants Las Vegas  
Metropolitan Police Department and Joseph  
Lombardo*

**ORDER**

**IT IS ORDERED** that the Early Neutral Evaluation scheduled for May 5, 2022 is VACATED and RESET to **Thursday, July 28, 2022 at 10:00 a.m.**

**IT IS FURTHER ORDERED** that the confidential evaluation statements must be submitted by Noon on Thursday, July 21, 2022.

**IT IS FURTHER ORDERED** that all other provisions of the Court's prior Order (ECF No. 20) entered in 2:21-cv-1928-RFB-BNW remain in effect.

DATED: May 10, 2022

  
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DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE